

**RESOLUTION NO. 177-14-14271**

**A Resolution enacting a moratorium on issuance of permits to cut or otherwise kill all any trees until the existing tree protection ordinance can be amended to provide better protections.**

**WHEREAS**, development of properties in the city has increased in pace; and

**WHEREAS**, the City's tree ordinance states "The intent of this section is to provide a mechanism to protect, reserve, and restore the tree canopy within the City of South Miami by regulating the removal, relocation and trimming of trees"; and

**WHEREAS**, developers have recently obtained permits and cut down extremely old, slow-growing, native trees including Dade County slash pine and cabbage palms, as well as large live oaks; and

**WHEREAS**, the residents and City Commission of South Miami have not been convinced such destruction was necessary to redevelop the properties; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, THAT:**

**Section 1.** The City hereby issues a moratorium on the issuance of any trees, except for nuisance species already exempted from requirements for a tree removal permit to cut down, remove or otherwise kill any trees.

**Section 2.** The City Manager's rights of emergency removal shall be retained.

**Section 2 3** The moratorium shall expire on ~~Oct~~ Nov 1, 2014 or the date that the City Commission approves or denies a revision to the tree protection ordinance that provides greater incentive for property owners and developers to responsibly relocate or design around existing native trees listed in Section 1, whichever occurs first.

**Section 3 4.** City staff is instructed to work with the sponsor of this resolution to draft a revision to the existing Tree Protection Ordinance that provides greater incentive for property owners and developers to responsibly relocate or design around existing native trees of high value or low growth rate.

**Section 4 5.** If any section clause, sentence, or phrase of this resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this resolution.

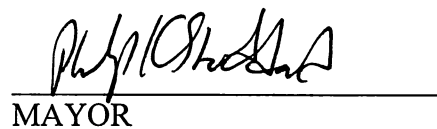
**Section 5 6.** This resolution shall take effect immediately upon adoption.

Passed and adopted this 2<sup>nd</sup> day of September, 2014.

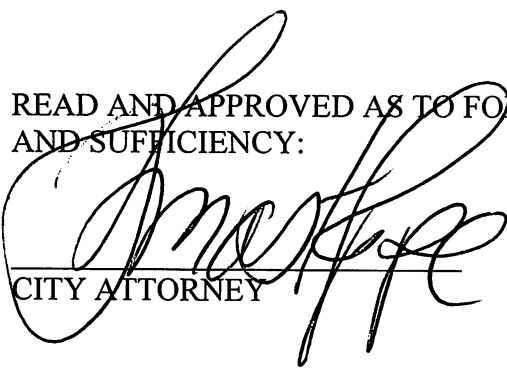
ATTEST:

  
CITY CLERK

APPROVED:

  
MAYOR

READ AND APPROVED AS TO FORM  
AND SUFFICIENCY:

  
CITY ATTORNEY

COMMISSION VOTE:	5-0
Mayor Stoddard:	Yea
Vice Mayor Harris:	Yea
Commissioner Edmond:	Yea
Commissioner Liebman:	Yea
Commissioner Welsh:	Yea